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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Thomas Chadzelek

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EXAMINER

AUGUSTINE, NICHOLAS

ART UNIT

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2179

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DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/676,811	Applicant(s) CHADZELEK ET AL.	
	Examiner NICHOLAS AUGUSTINE	Art Unit 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- A. This action is in response to the following communications: Request for Continued Examination filed 10/7/2008.
- B. Claims 1-15 remains pending.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/7/2008 has been entered.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised

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of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-3,7-9 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karp et al ("Windows XP in a Nutshell" – 4/2002), herein referred to as "Karp" in view of Lemley, Brad (US 7,206,599), herein referred to as "Lemley".

Note: Supplemental screen captures are included with the resulting functions and action as taught by Karp.

Note: **Supplemental references** are provided to depict what was commonly known in the art of Windows XP as taught by Karp as only evidence and is not part of the rejection.

- A. (http://www.delphi3000.com/articles/article_1667.asp?SK=)
- B. ([http://en.wikipedia.org/wiki/Container_\(data_structure\)#Graphic_Containers](http://en.wikipedia.org/wiki/Container_(data_structure)#Graphic_Containers))
- C. (http://en.wikipedia.org/wiki/Windows_shell)

As for independent claims 1,7 and 13, Karp teaches a method for navigating user interface elements, the method and corresponding computer program product and system comprising: grouping user interface elements of a user interface of a computer program application into groups based on a hierarchical arrangement of the user interface elements, the hierarchical arrangement allowing for sibling groups and parent groups; and detecting a user navigation input comprising a sibling navigation input or a parent navigation input, the sibling navigation input comprising a first group identifier

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key press, and the parent navigation input comprising a second group identifier key press; if the detected navigation input is the sibling navigation input, shifting input focus to a next sibling group in the hierarchy; and if the detected navigation input is the parent navigation input, shifting input focus to a parent group in the hierarchy (pg.557,par.2; pg.559 (Alt-Tab(+Tab)); pg.558 (Alt-x); and screen captures figures 2-3. As seen in figure two when the user presses ALT on the keyboard this navigation control corresponds to the first group of control elements as indicated by under scoring letters of controls (file, edit, insert, format, tools, window, and help) therefore the ALT key is correlated with a group identifier to relate to the group of controls. The ALT key being that of the parent navigation control where ALT is combined with a letter (X) that corresponds to a control UI element. A sibling navigation key being an arrow key on the keyboard to navigation control UI elements inside of a group of controls. The second group identifier is defined when the user selects a parent control from the parent group, for example when the user presses the key combination ALT+T it is identified with the control group that consist of the control elements (Spelling and grammar, language, word count, auto summarize, etc...) thus making a group identifier as indicated by the figure and explained by Karp (pages 557-558). So in summarization Karp teaches of navigational controls wherein parent navigational controls when activated are identified as having a group of sibling control UI elements and sibling navigational controls, which are identified by the parent navigational control groups. Thus therefore when the user activates a parent control to display sibling control group the group identification is evident or else a random menu or crossed menus (file control is activated and tools

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sibling group is displayed) would be displayed if there were not any identification means included.).

Karp does not specifically disclose that the navigation input comprising a key press of a first and second alphanumeric character, however in the same field of endeavor Lemley teaches a navigation input comprising a key press of a first, second, third or fourth alphanumeric character key, the first alphanumeric character constituting a first group identifier and the second alphanumeric character constituting a second group identifier (figure 2; col.4, lines 1-67; which described is navigation within a hierarchy of options which is interacted with a plurality of alphanumeric keys that navigate to through the hierarchy of options as well as navigate forward/backward and execute other various functionality. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Lemley into Karp; this is true because Lemley solves a problem of navigating menu trees, graphical user interface windows, messaging and readouts of data input by the user (col.1, lines 30-33).

As for dependent claims 2,3,8,9,14 and 15, Karp teaches the method of claim 1, further comprising: creating one or more hierarchical tab chains to contain all user interface elements currently displayed by the application, wherein a node in a tab chain hierarchy is a container comprising one or more user interface elements and the container comprises a tab chain that contains all the user interface elements in the container (Windows XP places graphical user interface elements in containers; derived from page 37; screen captures, figure 2); creating a new view creates a view container with a

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hierarchical tab chain that contains all the user interface elements for the new view (when the user activates the control keystroke the graphical user interface element display panel is activated from the operating system as shown in figure 2); and the hierarchical tab chain for the new view is added to the existing tab chain by adding a new node for the new view container in the existing hierarchical tab chain (when the user opens a new application an icon indicative to the corresponding application is added to figure 2 display element).

3. Claims 4-6 and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Microsoft Excel 2002 version 3.0.6926 SP-3) in view of Lemley.

As for independent claims 4 and 10, Microsoft teaches a computer implemented method for navigating editable cells of a table, the method comprising: detecting a user navigation input comprising a forward navigation input or a backward navigation input, the forward navigation input comprising first group identifier key press and backward navigation input comprising a second group identifier key press; if the detected user navigation input is the forward navigation key, shifting input focus to a next editable cell of the table; and if the detected navigation input is the backward navigation input, shifting input focus to a previous editable cell of the table (fig.3; wherein the user presses keyboard keys to navigate through editable cells. As seen in figure two when the user presses ALT on the keyboard this navigation control corresponds to the first group of control elements as indicated by under scoring letters of controls (file, edit,

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insert, format, tools, window, and help) therefore the ALT key is correlated with a group identifier to relate to the group of controls. The ALT key being that of the parent navigation control where ALT is combined with a letter (X) that corresponds to a control UI element. A sibling navigation key being an arrow key on the keyboard to navigation control UI elements inside of a group of controls. The second group identifier is defined when the user selects a parent control from the parent group, for example when the user presses the key combination ALT+T it is identified with the control group that consist of the control elements (Spelling and grammar, language, word count, auto summarize, etc...) thus making a group identifier as indicated by the figure and explained by Karp (pages 557-558). So in summarization Karp teaches of navigational controls wherein parent navigational controls when activated are identified as having a group of sibling control UI elements and sibling navigational controls, which are identified by the parent navigational control groups. Thus therefore when the user activates a parent control to display sibling control group the group identification is evident or else a random menu or crossed menus (file control is activated and tools sibling group is displayed) would be displayed if there were not any identification means included.).

Microsoft does not specifically disclose that the navigation input comprising a key press of a first and second alphanumeric character, however in the same field of endeavor Lemley teaches a navigation input comprising a key press of a first, second, third or fourth alphanumeric character key, the first alphanumeric character constituting a first group identifier and the second alphanumeric character constituting a second group

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identifier (figure 2; col.4, lines 1-67; which described is navigation within a hierarchy of options which is interacted with a plurality of alphanumeric keys that navigate to through the hierarchy of options as well as navigate forward/backward and execute other various functionality. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Lemley into Microsoft; this is true because Lemley solves a problem of navigating menu trees, graphical user interface windows, messaging and readouts of data input by the user (col.1, lines 30-33).

As for dependent claims 5,6,11 and 12, Microsoft teaches the method of claim 4, further comprising: switching the editable cell to the edit mode, if a switch-cell-mode key is pressed while an editable cell currently having input focus is not in an edit mode; wherein user input modifies content of the editable cell, if the editable cell is in the edit mode; switching the editable cell to a focus mode, in which the content of the editable cell cannot be modified, if a switch-cell-mode key is pressed while the editable cell currently having input focus is in the edit mode (fig.4; wherein the user selects the editable cell and presses the locked option to make the cell non-editable).

(Note :) It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006,1009, 158 USPQ 275, 277 (CCPA 1968)).

Response to Arguments

Applicant's arguments filed 10/7/2008 have been fully considered but they are not persuasive.

After careful review of the amended claims (given the broadest interpretation) and the remarks provided by the Applicant along with the cited reference(s) the Examiner does not agree with the Applicant for at least the reasons provided below:

A1. Applicant argues that pressing a key in navigation mode in Lemley cannot constitute the claimed "key press of a first alphanumeric character" because, in the navigation mode, the key is in no way associated with an alphanumeric character and it is unclear which of the four alphanumeric characters in Lemley that each key represents is the claimed "first alphanumeric character constituting a first group identifier".

R1. Examiner does not agree, Lemley is introduced to cure the deficiencies of Karp in such that Lemley teaches a navigation input comprising a key press of a first, second, third or fourth alphanumeric character key, the first alphanumeric character constituting a first group identifier and the second alphanumeric character constituting a second group identifier (figure 2; col.4, lines 1-67; which described is navigation within a hierarchy of options which is interacted with a plurality of alphanumeric keys that navigate to through the hierarchy of options as well as navigate forward/backward and execute other various functionality. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Lemley into Karp; this is true because Lemley solves a problem of navigating menu trees, graphical user interface windows, messaging and readouts of data input by the user (col.1, lines 30-33). Lemley clearly shows a plurality of alphanumeric character buttons for selection by the user in figure 1. Throughout the use of the device the user is able to select one or more of these buttons to render/change the display presentation (interact) each button is known to the system

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and will provide unique functionality when actuated upon, hence if one button is pressed opposed of another the end result would differ. A first, second... alphanumeric character button is only functional to differentiate to the user of what function it will provide when actuated upon which is described in the immediate claim language and Lemley; thus Karp in view of Lemley teaches or suggest detecting a user navigation input comprising a sibling navigation input or a parent navigation input, the sibling navigation input comprising a key press of a first alpha numeric character, the first alphanumeric character constituting a first group identifier and the parent navigation input comprising a key press of a second alphanumeric character, the second alphanumeric character constituting a second group identifier.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Inquires

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Augustine whose telephone number is 571-270-1056. The examiner can normally be reached on Monday - Friday: 7:30- 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nicholas Augustine/
Examiner
Art Unit 2179
December 15, 2008

/Ba Huynh/
Primary Examiner, Art Unit 2179